

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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Church & Dwight Co., Inc.,

Plaintiff,

—v—

SPD Swiss Precision Diagnostics GMBH,

Defendant.

14-CV-585 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

Pursuant to Rules 1.B and 4.A of this Court's Individual Practices in Civil Cases, on August 22, 2014 Defendant SPD Swiss Precision Diagnostics GMBH ("SPD") submitted to the Court via email proposed redactions of its motion in limine to limit the scope of the case to the advertising attached as exhibits to Plaintiff Church & Dwight Co., Inc. ("C&D")'s Complaint. On September 5, 2014, the Court received via email a letter from SPD justifying its redaction requests relating to its motion in limine. On September 12, 2014, C&D submitted a letter to this Court indicating it supports SPD's application and agrees with SPD's position in the September 5 letter. Dkt. No. 129. For the reasons stated in SPD's September 5 letter, SPD's redaction request is GRANTED. However, as noted in the Court's previous orders granting redaction requests, *see, e.g.*, Dkt. No. 18 at 2, the Court may revisit this decision following the resolution of the motion in limine or upon request.

Based on the fact that the existence of the settlement agreement is publicly known and has been referenced in prior court orders, *see, e.g.*, Dkt. No. 46 at 3, and in court proceedings on the record, *see, e.g.*, Dkt. No. 130 (08/12/14 Hrg. Tr. at 8:20-23), the Court sees no reason why SPD's letter justifying its redaction requests should not be filed publicly via ECF. The Court

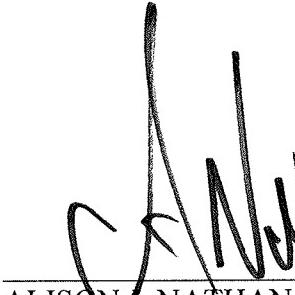
shall give SPD one week to file the September 5 letter via ECF or provide the Court with a letter via email indicating why the September 5 letter should not be filed via ECF.

In the interim, SPD shall promptly file via ECF redacted versions of its motion papers. The Court will file under seal the unredacted pages for which the Court has approved redactions.

In light of the voluminous content of the present motion in limine, the Court orders SPD to use double-sided printing for the courtesy copies it will supply pursuant to Rule 3.D when the motion is fully briefed. SPD is reminded that Rule 4.A requires that parties submitting courtesy copies of motion papers containing approved redactions should submit those documents in unredacted, highlighted form.

SO ORDERED.

Dated: Sept. 16, 2014
New York, New York



ALISON J. NATHAN
United States District Judge